

REMARKS

This reply responds to the Final Office Action dated March 16, 2010 and the Advisory Action of May 27, 2010. New claim 223 is added. Entry of the foregoing amendment and reconsideration of the claims is respectfully requested.

Per the advisory action, Applicants amend the claims to clarify that the low crystallinity polymer is prepared with metallocene catalysis.

The Office Action also alleges there is no support for the claimed range of 28 wt.%. However, as explained in Applicants May 17, 2010 response, the 28 wt.% end point is the difference between 100 wt.% and the content of the low crystallinity polymer. Applicants include the previous comments:

The claims recite a propylene content for the low crystallinity polymer of from 72 to about 90 wt%. Previously, the claims indicated a comonomer range of from 10 to 20 wt% ethylene. The specification states that the percentages by weight of propylene and comonomer in the low crystallinity polymer are "based on the sum of the weight percent propylene-derived units and the weight percent comonomer units being 100%." (Specification at [0042].) Because the lower limit of the propylene range and the upper limit of the ethylene range previously recited in the claims does not add up to 100%, the claims have been corrected accordingly so that the upper limit of ethylene is now 28 wt% in the independent claims, resulting in a possible sum of 100% for all values in the range.

Claim Rejections – 35 USC § 102 and § 103

Claims 1-10, 12-20, 23-47, 49-65, 143-146, 148-176 and 178-198 stand rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over Tsurutani et al. (U.S. Patent No. 5,472,792; hereafter "*Tsurutani*"). Applicants traverse.

Unlike the amended claims, *Tsurutani* teaches amorphous polymers that are either atactic polypropylenes produced as a by-product in producing a crystalline polypropylene, or are polymerized using a titanium catalyst supported on magnesium chloride and triethylaluminum. (*Tsurutani* at column 3, lines 31-47.) The amorphous polymers of *Tsurutani* would therefore not be expected by one of skill in the art to inherently have the properties of the low crystallinity polymers recited in the amended claims, e.g., lower melting points and $\geq 75\%$ triad tacticity.

Moreover, unlike the claimed articles, Tsurutani teaches that use of an amorphous polyolefin with a low *molecular weight* results in “striking surface adhesivity” – similar to an adhesive. Applicants describe an article having sufficient adhesion between layers due to the compatible crystallinity between the layers or by use of a conventional adhesive material. (Specification at [0033].) One of skill in the art seeking to form articles having the physical and mechanical characteristics of the present invention would therefore not be motivated by the teachings of Tsurutani to achieve applicants claimed subject matter.

For all of the foregoing reasons, the pending claims are not rendered obvious by Tsurutani under § 103. Applicant therefore respectfully requests withdrawal of the rejection and allowance of the claims.

CONCLUSION

Applicants request examination and allowance of the pending claims.

If necessary to affect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to affect a timely response. Please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1712 (Docket #: 2003B002/2).

June 16, 2010

Date

Respectfully,

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